

VZCZCXRO4606
OO RUEHCHI RUEHCN RUEHDT RUEHHM
DE RUEHJA #0279 0420947
ZNY CCCCC ZZH
O 110947Z FEB 08
FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7959
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBY/AMEMBASSY CANBERRA 1988
RUEHKO/AMEMBASSY TOKYO 1510
RUEHWL/AMEMBASSY WELLINGTON 2315
RUEHBJ/AMEMBASSY BEIJING 4715
RUEHNE/AMEMBASSY NEW DELHI 1578
RUEHPB/AMEMBASSY PORT MORESBY 3663
RUEHBAD/AMCONSUL PERTH 0569
RHHJJPI/USPACOM HONOLULU HI
RHEHNSC/NSC WASHDC
RUEAIIA/CIA WASHDC

C O N F I D E N T I A L JAKARTA 000279

SIPDIS

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, DRL, DRL/AWH
INR FOR EPHU

E.O. 12958: DECL: 02/11/2018

TAGS: [PGOV](#) [KJUS](#) [PREL](#) [ID](#)

SUBJECT: HUMAN RIGHTS -- A SECOND CONVICTION IN MUNIR CASE

REF: A. JAKARTA 173

[1](#)B. 07 JAKARTA 2311

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

[1](#)1. (C) SUMMARY: On February 11, a Jakarta Court handed down a second conviction in the murder of well-known human rights activist Munir Said Thalib, sentencing a former airline executive to a year in prison for his role in abetting the October 2004 murder. The Court referred to a "higher conspiracy" in its verdict, but did not elaborate. Prosecutors told a contact that the latest verdict could lead next to prosecution of National Intelligence Agency (BIN) agents, which--if it happens--would be a dramatic step toward accountability. END SUMMARY.

ANOTHER CONVICTION

[1](#)2. (SBU) There has been a positive new development in a prominent human rights case. A second suspect in the Munir murder case has been convicted. A Jakarta District Court sentenced former Garuda Director Indra Setiawan to a year in prison for his role in abetting the murder by providing a letter to off-duty pilot Pollycarpus Budihari Priyanto, which allowed him to board the same flight as Munir and then poison him (ref A). (Note: Pollycarpus was recently sentenced to 20 years in prison for his role in the case.) Setiawan has been in prison for the past 10 months since being charged in the case and will serve two more months. He said he will appeal.

"HIGHER CONSPIRACY" CITED

[1](#)3. (SBU) The Court's ruling contained interesting language. In handing down the verdict, Chief Judge Heru Pramono said Setiawan had assisted in the murder, but at the same time was a "victim of a higher conspiracy." In explaining its ruling, the judge said Setiawan took part in the conspiracy because he was "simple-minded and nave" but was aware of the conspiracy nevertheless. (Note: Setiawan told the media recently that BIN had instructed him to place Pollycarpus on the flight as part of a routine intelligence operation, but that he knew nothing of a murder conspiracy.)

[1](#)4. (C) Immediately following the verdict, prosecutors told a

well-informed Mission contact that the latest conviction could lead to charges against current and former BIN agents. Prosecutors said they expect charges to be filed possibly in June. By convicting Setiawan, prosecutors have succeeded in establishing a link with BIN, the contact told us. A BIN agent now assigned at the Indonesian Embassy in Pakistan, Budi Santoso, had testified via affidavit that former BIN Deputy Director Muchdi Purwopranjono asked him to help draft the letter to Setiawan. The letter was signed by current BIN Deputy Director As'ad Ali, earlier court proceedings revealed.

GOOD NEWS FOR ACCOUNTABILITY

15. (C) The Munir case is following the strategy outlined to DepPol/C six months ago by the lead police investigator, which was to gain convictions against lower level conspirators in order to leverage them to provide testimony against higher level conspirators (ref b). Proving a case against BIN officials will be difficult--and unprecedented--but the fact that prosecutors are pursuing that step in earnest is a sign of political will to pursue the masterminds and further establish accountability in this key case.

HEFFERN